


**WASTE EVALUATION & ENFORCEMENT BRANCH CHIEF  
ACTION REQUEST**

**To:** Lorraine Van Kekerix, Branch Chief  
Waste Evaluation and Enforcement Branch

**From:**   
Georgianne Turner, Section Manager  
Solid Waste Enforcement Section

**Prepared By:** Jon Whitehill, Solid Waste Enforcement Section

**Request Date:** July 14, 2011

**Action By:** July 30, 2011

**Decision Subject:** Consideration of an Extension to the Compliance Schedule Due Date for a Facility included on the Inventory of Solid Waste Facilities Which Violate State Minimum Standards (Inventory), American Avenue Landfill, Fresno County (10-AA-0009)

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**SUMMARY**

On October 13, 2010, the facility was placed on the Inventory for ongoing violations of Title 27 CCR, Section 20921 – Gas Monitoring and Control. In response, the Fresno County LEA issued a Notice and Order to the operator, with a final compliance date of October 13, 2012.

The operator submitted a gas migration and remediation plan on May 26, 2010. The amended remediation plan was approved on June 29, 2010.

The operator has since determined that they will be unable to meet the final compliance date specified in the original Notice and Order. Site assessment during implementation of Phase One of the approved remediation plan determined that a much larger control system is necessary, which will take a correspondingly longer length of time to design, permit, and install.

**OPTIONS**

1. Approve the one-year extension for the proposed compliance due date to October 13, 2013.
2. Deny the extension to the compliance due date.

## **WASTE EVALUATION & ENFORCEMENT BRANCH CHIEF ACTION REQUEST**

### **ANALYSIS AND FINDINGS**

#### **Background**

The American Avenue Landfill is owned and operated by the County of Fresno. The facility is located approximately 20 miles west of the City of Fresno.

The landfill gas monitoring and control plan was approved on July 13, 2009. An extension to the implementation due date was approved on September 3, 2009, and installation of the new compliance wells was completed on April 2, 2010.

The LEA issued a violation for landfill gas migration on April 19, 2010, when the first quarterly monitoring of the newly installed wells documented that GP-35, GP-36, GP-37, and GP-39 were above 5% methane by volume in air.

The operator submitted a gas migration remediation plan on May 26, 2010, and the amended remediation plan was approved on June 29, 2010. The remediation plan proposed a phased approach, with Phase 1 maximizing and optimizing the existing landfill gas collection and control system. Phase 2 would include expansion of the system if necessary, as determined during implementation and evaluation of Phase 1.

#### **Analysis**

The operator has been monitoring the landfill gas perimeter compliance wells at least weekly since April 5, 2010. Methane concentrations in GP-35, 36, 37 and 39 are exhibiting downward trends, and all shallow screening levels are now below 5% methane by volume in air. However, the middle and deep screening levels of GP-35, 36, 37 and 39 are still above the CCR Title 27 compliance limit of 5 percent. All other perimeter gas monitoring wells are in compliance.

During Phase 1 of the remediation, the existing system was optimized. Improvement included reconnecting offline extraction wells, connecting leachate risers to the extraction system, and modifying the enclosed ground flare to maximize system capacity, in accordance with the specifications and timelines of the Notice and Order.

Evaluation during Phase 1 determined that a much larger control system is necessary, which will take a correspondingly longer length of time to design, permit, and install. Through the mitigation process and increasing the capacity of the flare, the operators realized the capacity of the flare itself was a limiting factor. To get to the next step in the remediation process, the operator must obtain permits from the Air Board, and they have begun that process.

Therefore, Phase 2 of the remediation plan will need to be implemented to achieve compliance. Further expansion of the system will require an *Authority to Construct/Permit to Operate* from the San Joaquin Valley Air Pollution Control District (SJVAPCD). The SJVAPCD review and approval process is expected to take at least 180 days, not including design and installation of the system. In addition, the operator will need to procure a consultant to assist with evaluating different control technology options, prepare a formal design package complete with plans, specifications and cost estimates, and prepare and submit the applications to the SJVAPCD.



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Staff of the CalRecycle Closure Section has reviewed the plan and agree with the LEA that proceeding with the SJVAPCD permitting process to increase the flare capacity is appropriate and that the proposed extended schedule/timelines are not unreasonable.

**FINDINGS:**

The owner and operator have made progress and a good faith effort in bringing the facility back into compliance. Additionally, the landfill gas issue was more extensive than originally assessed. Based on the factors set forth in 14 CCR 18084, the operator has made a good faith effort and the LEA is taking appropriate enforcement action. Therefore it is reasonable to grant the additional time to bring the facility into full compliance and to insure that their improvements to the facility's gas control system will be sufficient to adequately control the facility's gas generation.

**RECOMMENDATION**

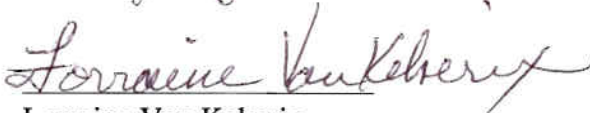
CalRecycle staff recommend that the facility be granted a one-year extension.

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**BRANCH CHIEF ACTION:**

On the basis of the information in this Action Request, I hereby issue, pursuant to 14 CCR, Section 18365(b), approval of a one-year extension to the owner and operator of the American Avenue Landfill (10-AA-0009) to October 13, 2013.

Dated: *July 14, 2011*



Lorraine Van Kekerix

Branch Chief

Waste Evaluation and Enforcement Branch

Attachment (Request Letter)

